

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SEAN TATE,

Plaintiff,

v.

Case No. 07-C-755

MATTHEW FRANK, et al.,

Defendants.

ORDER

Plaintiff Sean Tate, an inmate at the Wisconsin Resource Center, has filed another motion for reconsideration; this time he asks that I un-do my December 20 order “re-screening” his complaint. In that order, I concluded that this court’s original screening order had improperly allowed Tate to proceed against multiple defendants for unrelated causes of action. Nothing in Tate’s motion for reconsideration suggests that dismissal was erroneous. The court always maintains a duty to ensure that filings are in compliance with the Federal Rules of Civil Procedure, and the fact that Tate’s complaint was dismissed absent his input is of no moment. As noted in the dismissal order, Tate’s claims (as relevant here) were dismissed without prejudice – if he wishes to proceed on these claims, the only harm he will suffer is that he must file multiple actions and pay multiple filing fees in accordance with the PLRA. And, as noted earlier, the case I relied upon in re-screening the action did not set forth “new” law but rather underscored what the Federal Rules and the PLRA had already required. *See George v. Smith*, 507 F.3d 605 (7th Cir. 2007). As such, there is no unfairness in applying its principles to Tate.

For these reasons, the plaintiff's motion for reconsideration is **DENIED**; any amended complaint in this action must be filed by February 1, 2008.

SO ORDERED this 7th day of January, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge